

**REMARKS/ARGUMENTS**


Claims 13 – 19, 38, 39, 41, 42 and 44 – 53 are pending. Claims 1 - 12 and 20 – 37, 40, 43, are cancelled, without prejudice. Claims 41 and 42 have been amended to depend from claim 44. New claims 44 – 51 are supported in the specification, e.g., page 9, line 29, original claims 13 – 19, and throughout the specification. No new matter is added by this amendment.

New Claim 52 is drawn to a pharmaceutical composition containing an adenovirus according to claim 44. New Claim 53 is drawn to a method of delivering a heterologous gene using the adenovirus of claim 44.

The subject matter of group I, including chimeric adenoviruses, has been elected. Claims 13 – 19 and new claims 44 – 53 fall within the elected group.

The Director is hereby authorized to charge any deficiency in any fees due with the filing of this paper or during the pendency of this application to Deposit Account Number 08-3040.

Respectfully submitted,  
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